

62nd LEGISLATURE—REGULAR SESSION

more, according to the then last preceding Federal Census, shall be compensated on a salary basis. In all counties in this State, the Commissioners Courts shall be authorized to determine whether precinct officers shall be compensated on a fee basis or on a salary basis, with the exception that it shall be mandatory upon the Commissioners Courts, to compensate all justices of the peace, constables, deputy constables and precinct law enforcement officers on a salary basis beginning January 1, 1978; and in counties having a population of less than twenty thousand (20,000), according to the then last preceding Federal Census, the Commissioners Courts shall also have the authority to determine whether county officers shall be compensated on a fee basis or on a salary basis, with the exception that it shall be mandatory upon the Commissioners Courts to compensate all sheriffs, deputy sheriffs, county law enforcement officers including sheriffs who also perform the duties of assessor and collector of taxes, and their deputies, on a salary basis beginning January 1, 1949.

"All fees earned by district, county and precinct officers shall be paid into the county treasury where earned for the account of the proper fund, provided that fees incurred by the State, county and any municipality, or in case where a pauper's oath is filed, shall be paid into the county treasury when collected and provided that where any officer is compensated wholly on a fee basis such fees may be retained by such officer or paid into the treasury of the county as the Commissioners Court may direct. All Notaries Public, county surveyors and public weighers shall continue to be compensated on a fee basis."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1972, at which election the ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to require the commissioners court in all counties of the state to compensate all justices of the peace on a salary basis."

Adopted by the House on May 21, 1971: Yeas 139, Nays 0; adopted by the Senate on May 26, 1971: Yeas 30, Nays 0.

Signed by the Governor May 31, 1971.

PROPOSED CONSTITUTIONAL AMENDMENT—COUNTY PERMANENT SCHOOL FUND—REDUCTION AND DISTRIBUTION

H. J. R. No. 57

Proposing an amendment to Article VII, Constitution of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per capita distribution and use of the money obtained from the reduction.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article VII, Constitution of the State of Texas, be amended by adding a Section 6b, to read as follows:

"Section 6b. Notwithstanding the provisions of Section 6, Article VII, Constitution of the State of Texas, any county, acting through the commissioners court, may reduce the county permanent school fund of that

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county and may distribute the amount of the reduction to the independent and common school districts of the county on a per scholastic basis to be used solely for the purpose of reducing bonded indebtedness of those districts or for making permanent improvements. The commissioners court shall, however, retain a sufficient amount of the corpus of the county permanent school fund to pay ad valorem taxes on school lands or royalty interests owned at the time of the distribution. Nothing in this Section affects financial aid to any school district by the state."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow a county to reduce its county permanent school fund and distribute the money to independent and common school districts on a per scholastic basis."

Adopted by the House on May 7, 1971: Yeas 122, Nays 1; passed by the Senate on May 26, 1971: Yeas 28, Nays 1.

Signed by the Governor May 31, 1971.

PROPOSED CONSTITUTIONAL AMENDMENT—LEGISLATURE —COMPENSATION AND EXPENSES OF MEMBERS

H. J. R. No. 58

Proposing an amendment to Article III, Section 24, Constitution of the State of Texas, to provide for an annual salary of \$8,400 for Members of the Senate and House of Representatives, and to extend to 120 days only of the Regular Session the per diem allowance of Members of the Legislature.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III, Section 24, of the Texas Constitution, be amended to read as follows:

"Section 24. Representatives shall receive from the Public Treasury an annual salary of not exceeding Eight Thousand, Four Hundred Dollars (\$8,400). Senators shall receive from the Public Treasury an annual salary of not exceeding Eight Thousand, Four Hundred Dollars (\$8,400). All Members of the Legislature, including the Lieutenant Governor and the Speaker of the House of Representatives, also shall receive from the Public Treasury a per diem of not exceeding Twelve Dollars (\$12) per day for the first one hundred and twenty (120) days only of each Regular Session and for thirty (30) days of each Special Session of the Legislature. No Regular Session shall be of longer duration than one hundred and forty (140) days. This amendment shall be self-enacting and appropriations heretofore made in the general appropriations bill for the biennium ending August 31, 1973, for the salaries of the Members of the Senate and House of Representatives shall not be invalid because of the anticipatory nature of the legislation.

"In addition to the per diem the Members of each House shall be entitled to mileage in going to and returning from the seat of government, which mileage shall not exceed Two Dollars and Fifty Cents (\$2.50) for every twenty-five (25) miles, the distance to be computed by the nearest and most direct route of travel, from a table of distances prepared by the Comptroller to each county seat now or hereafter to be established; no Member to be entitled to mileage for any extra Session that may be called